

REMARKS

Claims 1 and 5 have been amended to overcome the Examiner's objection and rejection under 35 U.S.C. 112. Claims 1-8 have also been amended to improve their form.

Claim Objection

Claim 1 has been amended to correct an informality to overcome the objection.

Claim Rejections

A. 35 U.S.C. 112 Rejection of Claims 1 and 5

Claim 1 stands rejected under 35 U.S.C. 112, first paragraph, and claim 5 stands rejected under 35 U.S.C. 112, second paragraph.

Claim 1 has been amended by deleting the phrase "taken during the session" and claim 5 has been amended to remove the term "relative". The rejection under 35 U.S.C. 112 is therefore overcome.

B. 35 U.S.C. 102(e) Rejection of Claim 1

Claim 1 stands rejected under 35 U.S.C. 102(e) as being anticipated by Katayama et al., U.S. published patent application 2005/0046702 (hereinafter, "Katayama"). Applicants respectfully request the Examiner to reconsider this rejection.

Katayama was filed on July 29, 2004, after the Applicants' priority filing date in France, January 6, 2004. Although Katayama claims priority to a Japanese application filed on July 31, 2003, this Japanese priority date is not available for reference purpose under 35 U.S.C. 102(e). The publication date of Katayama's Japanese application is also subsequent to the Applicants' priority date. Therefore, it is clear that Katayama is not available to be cited against the instant application under 35 USC 102(e).

Applicants respectfully request withdrawal of the rejection of Claim 1.

C. 35 U.S.C. 103 Rejection of Claims 2-8

Claims 2-8 stand rejected under 35 U.S.C. 103 as unpatentable over Katayama in view of US 6,744,537 to Chiba et al. (hereinafter, "Chiba").

Since Katayama is not available as a reference under 35 U.S.C. 102(e), as explained above, Applicants submit that the rejection of Claims 2-8 based on Katayama and Chiba should also be withdrawn.

Furthermore, Chiba relates to an image reader having an image reading surface contacting a document, a document detecting section for detecting a document, and an image reading section for reading an image on the document when the document is detected (see Chiba, Abstract).

There is no showing that Chiba teaches a “method for detecting the orientation of images in a set of images representing a similar scene, each image in said set of images containing a similar object,” as set forth in amended Claim 1.

It is therefore clear that Chiba does not affect the patentability of Claim 1.

Since Claims 2-8 depend from Claim 1, these claims are also patentable for the same reason as for Claim 1.

Conclusion

In view of the foregoing, Applicants respectfully solicit entry of this amendment and allowance of the claims. If the Examiner believes that there are remaining issues, please contact Applicants' attorney at (609) 734-6834 to arrange a mutually convenient date and time for a telephonic interview.

Respectfully submitted,
Jurgen Stauder et al.

Date: March 24, 2010

/Wan Yee Cheung/
Wan Yee Cheung
Attorney for Applicants
Reg. No. 42,410
Phone (609) 734-6834

U.S. Patent Operations
Thomson Licensing LLC
P.O. Box 5312
Princeton, New Jersey 08543-5312